

1 STEVEN G. KALAR
Federal Public Defender
2 ELLEN V. LEONIDA
Assistant Federal Public Defender
3 555 - 12th Street, Suite 650
Oakland, CA 94607-3627
4 Telephone: (510) 637-3500
Facsimile: (510) 637-3507
5 ellen_leonida@fd.org

6 Counsel for Defendant
MICHAEL ACOSTA

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

11
12 UNITED STATES OF AMERICA,
13
Plaintiff,
14
v.
15 MICHAEL ACOSTA,
16
Defendant.

CR 13-613 JST

STIPULATION TO CONTINUANCE
AND EXCLUSION OF TIME UNDER
THE SPEEDY TRIAL ACT, 18 U.S.C. §
3161 ET. SEQ.; ~~PROPOSED~~ ORDER

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18 IT IS HEREBY STIPULATED, by and between the parties to this action, that the status
19 hearing date of November 15, 2013, presently scheduled at 9:30 a.m. before the Honorable Jon S.
20 Tigar, be vacated and the matter be re-set for December 20, 2013, for status.

21 The requested continuance is necessary because defense counsel is conducting ongoing
22 investigation, including obtaining records related to Mr. Acosta which will not be available prior to
23 the currently scheduled court date. Additionally, counsel for the government is still in the process
24 of obtaining discovery, specifically the dispatch recordings, from the investigating agency.

25 The parties agree and stipulate that the time until December 20, 2013 should be excluded,
26

1 under 18 U.S.C. §3161(h)(1)(G) and 18 U.S.C. §3161(h)(7)(B)(iv) because the ends of justice served
2 by the granting of the continuance outweigh the best interests of the public and the defendant in a
3 speedy and public trial.

4
5 Date: November 13, 2013

/s/ Ellen Leonida
ELLEN V. LEONIDA
Assistant Federal Public Defender
Counsel for MICHAEL ACOSTA

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8
9 Date: November 13, 2013

/s/ Cynthia Frey
CYNTHIA FREY
Assistant United States Attorney

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11
12 ORDER

13 The court finds that the ends of justice served by the granting of the continuance outweigh
14 the best interests of the public and the defendant in a speedy and public trial. The continuance is
15 necessary to accommodate counsel's preparation efforts. Based on these findings, IT IS HEREBY
16 ORDERED THAT the above-captioned matter is continued to December 20, 2013 at 9:30 a.m.,
17 before the Honorable Jon S. Tigar, and that time is excluded until December 20, 2013 pursuant to
18 18 U.S.C. § 3161(h)(1)(G) and 18 U.S.C. §3161(h)(7)(B)(iv) .

19 IT IS SO ORDERED.

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21
22 November 13, 2013
Date


HON. JON S. TIGAR
UNITED STATES DISTRICT JUDGE